



General Assembly

Amendment

February Session, 2002

LCO No. **4803**

SB0036004803HD0

Offered by:

REP. EBERLE, 15th Dist.

REP. CLEARY, 80th Dist.

To: Subst. Senate Bill No. **360**

File No. 152

Cal. No. 399

***"AN ACT CONCERNING NOTICE AND PUBLIC HEARING PRIOR
TO A NURSING HOME CLOSURE."***

1 After the last section, insert the following:

2 "Sec. 2. Subsection (a) of section 17b-354 of the general statutes, as
3 amended by section 53 of public act 01-2 of the June special session
4 and section 129 of public act 01-9 of the June special session, is
5 repealed and the following is substituted in lieu thereof (*Effective*
6 *October 1, 2002*):

7 (a) Except for applications deemed complete as of August 9, 1991,
8 the Department of Social Services shall not accept or approve any
9 requests for additional nursing home beds or modify the capital cost of
10 any prior approval for the period from September 4, 1991, through
11 June 30, 2007, except (1) beds restricted to use by patients with
12 acquired immune deficiency syndrome or traumatic brain injury; (2)
13 beds associated with a continuing care facility which guarantees life
14 care for its residents; [and] (3) Medicaid certified beds to be relocated

15 from one licensed nursing facility to another licensed nursing facility,
16 provided (A) the availability of beds in an area of need will not be
17 adversely affected; (B) no such relocation shall result in an increase in
18 state expenditures; and (C) the relocation results in a reduction in the
19 number of nursing facility beds in the state; and (4) a request for no
20 more than twenty beds submitted by a licensed nursing facility that
21 participates in neither the Medicaid program nor the Medicare
22 program, admits residents and provides health care to said residents
23 without regard to their income or assets and demonstrates its financial
24 ability to provide lifetime nursing home services to such residents
25 without participating in the Medicaid program to the satisfaction of
26 the department, provided the department does not accept or approve
27 more than one request pursuant to this subdivision. Notwithstanding
28 the provisions of this subsection, any provision of the general statutes
29 or any decision of the Office of Health Care Access, (i) the date by
30 which construction shall begin for each nursing home certificate of
31 need in effect August 1, 1991, shall be December 31, 1992, (ii) the date
32 by which a nursing home shall be licensed under each such certificate
33 of need shall be October 1, 1995, and (iii) the imposition of such dates
34 shall not require action by the Commissioner of Social Services. Except
35 as provided in subsection (c) of this section, a nursing home certificate
36 of need in effect August 1, 1991, shall expire if construction has not
37 begun or licensure has not been obtained in compliance with the dates
38 set forth in subparagraphs (i) and (ii) of this subsection."